



**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

In re Application of: Samuel Shiber
Application No.: 09/867,307
Filed: 05/29/2001
For: Vessel cleaner
My Docket Number: Th5


RECEIVED
FEB 24 2004
TECHNOLOGY CENTER R3700

I, **Samuel Shiber**, the inventor, applicant and owner of the entire interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of prior **Patent No. 6,143,009**.

I agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, I do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any **terminal disclaimer** filed prior to its grant.

Please apply any charges related to this TERMINAL DISCLAIMER to my deposit account 19-2040 (a copy of this page is enclosed).


Samuel Shiber, February 13, 2004
Ph. (603) 644-1773